

In the Specification

At line 1, page 1 add "ANTIOXIDANT CONTAINING" before "COMPOSITION AND METHOD."

In the Claims

A1
Claim 1. (Amended). A companion pet diet meeting ordinary nutritional requirements for an adult pet and further comprising a sufficient amount of an antioxidant or mixture thereof, to inhibit the onset of deterioration of the learning mental capacity of said companion pet in aged years. /B

A2 Sub B1
Claim 12. (Amended). A method for inhibiting the onset of deterioration of the learning mental capacity of an aged companion pet which comprises feeding said pet in its adult years a sufficient amount of an antioxidant or mixture thereof, to accomplish this inhibition.

Sub B1
A3
Claim 26. (Amended). A method for increasing the learning mental capacity of an adult companion pet, which comprises feeding the pet an amount of an antioxidant or mixture thereof sufficient to increase the learning mental capacity of said pet.

Claim 27. (Amended). A companion pet diet meeting ordinary nutritional requirements of an adult pet and further comprising an amount of an antioxidant or mixture thereof sufficient to increase the learning mental capacity of said pet. /B

Remarks

Claims 1-29 remain in the case.

The title has been amended to make it more complete.

All the claims have been rejected for obviousness under 35USC103 in view of Paul et al. Additionally, claim 27 was rejected as anticipated, 35 USC102, in view of Paul, et al.

The claimed invention shows the effect of using significant quantities of an antioxidant in bringing about inhibition of onset of aging and in particular, the ability to actually increase the skill of learning, as shown in Example 1. Both amended composition and method of use claims are directed to this invention.

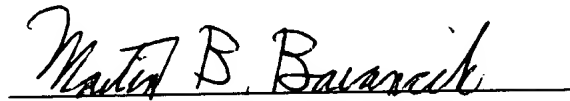
The reference Paul is directed to a food supplement which provides a sustained energy and anabolic composition having glucose polymers, crystalline fructose, partially hydrolyzed lactalbumin, bioavailable minerals and optionally lipid, see page 1, lines 15-20. This supplement provides a proper carbohydrate balance. References to antioxidants are only tangential. They are not featured as part of the core invention, already stated, but only present as an additional embodiment. None of the effects of the invention are disclosed as being due to the antioxidants per se. Still further, the reference speaks about the composition promoting "endurance and anabolism" repeatedly, page 3, lines 21, 25, 31-32. Other ingredients (six classes) including antioxidants can be added for optimizing "endurance and anabolism", page 3, line 41 to page 4, line 2. But "endurance and anabolism" are related to the seemingly physical skill of "endurance" and overall "anabolism" not to the cognitive skill of learning. At page 13, the term "old age" is associated with physiological stress which brings about negative energy balance and muscle catabolism which the benefits of greater endurance and anabolism are supposed to offset, see lines 18-37. But these effects, once more, are physical, and related to the properly balanced carbohydrate diet itself.

Therefore, all the pending claims, particularly the method of use claims are patentable over the art.

Two related cases in the Patent Office are USSN 9/978,127 and 9/922,633.

Applicants by their attorney respectfully request reconsideration and allowance of the specification and pending claims.

Respectfully submitted,

A handwritten signature in cursive script, reading "Martin B. Barancik", written over a horizontal line.

Martin B. Barancik
Reg. No. 25,189
Attorney of Record

COLGATE-PALMOLIVE COMPANY
909 River Road; P.O. Box 1343
Piscataway, NJ 08855-1343
Tel. (732) 878-7492

Appendix A

Following is a clean page of the specification and claims.

In the Specifications

ANTIOXIDANT CONTAINING COMPOSITION AND METHOD

In the Claims

Claim 1. (Amended). A companion pet diet meeting ordinary nutritional requirements for an adult pet and further comprising a sufficient amount of an antioxidant or mixture thereof, to inhibit the onset of deterioration of the learning mental capacity of said companion pet in aged years.

Claim 12. (Amended). A method for inhibiting the onset of deterioration of the learning mental capacity of an aged companion pet which comprises feeding said pet in its adult years a sufficient amount of an antioxidant or mixture thereof, to accomplish this inhibition.

Claim 26. (Amended). A method for increasing the learning mental capacity of an adult companion pet, which comprises feeding the pet an amount of an antioxidant or mixture thereof sufficient to increase the learning mental capacity of said pet.

Claim 27. (Amended). A companion pet diet meeting ordinary nutritional requirements of an adult pet and further comprising an amount of an antioxidant or mixture thereof sufficient to increase the learning mental capacity of said pet.